

27 MAY 1947

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of  
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27 MAY 1947

I N D E X  
of  
EXHIBITS

<u>Doc. No.</u>	<u>Def. No.</u>	<u>Pros. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
None	2657		Map made by the USSR and published in 1935	23060	23073
None	2657-A		Copy of the above Map with markings by Witness OGISU, Rippei		23073
240	2658		Address by the Minister for Foreign Affairs, Mr. Hashiro ARITA, delivered at the 79th Session of the Diet 1 February 1940		23085
1581	2659		Affidavit of OTA, Saburo		23092
1481	2660		Map attached to the TOGO- Molotov Agreement (prosecution exhibit No. 767)	23117	

1 Tuesday, 27 May 1947

2 - - -

3 INTERNATIONAL MILITARY TRIBUNAL  
4 FOR THE FAR EAST  
5 Court House of the Tribunal  
6 War Ministry Building  
7 Tokyo, Japan

8 The Tribunal met, pursuant to adjournment,  
9 at 0930.

10 - - -

11 Appearances:

12 For the Tribunal, same as before with the  
13 exception of: HONORABLE JUSTICE JU-AO MEI, Member  
14 from the Republic of China, now sitting.

15 For the Prosecution Section, same as before.

16 For the Defense Section, same as before.

17 - - -

18 (English to Japanese and Japanese  
19 to English interpretation was made by the  
20 Language Section, INTFE.)  
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1 MARSHALL OF THE COURT: The International  
2 Military Tribunal for the Far East is now in  
3 session.

4 THE PRESIDENT: I refer to page 23,017 of  
5 the record at lines 12 to 18 inclusive were not in  
6 evidence. That part of the exhibit was not read and  
7 should not appear in the transcript.

8 All of the accused are present except the  
9 accused TOJO, who, with the Court's permission, is  
10 interviewing his counsel outside the court room.

11 Colonel Smirnov.

12 COLONEL SMIRNOV: Thank you, your Honor.

13 - - -

14 R I P P E I O G I S U, called as a witness on  
15 behalf of the defense, resumed the stand and  
16 testified through Japanese interpreters, as  
17 follows:

18 CROSS EXAMINATION

19 BY COLONEL SMIRNOV: (Continued)

20 Q From what post were you transferred to the  
21 post of the commander of the 6th Army?  
22

23 A I was transferred from my former position as  
24 chief of the 13th Division in Central China to be  
25 commander of the 6th Army in Manchuria.

Q If we shall believe the list of your career



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1 you were commander of the 13th Division from 1937 to  
2 1939, is that correct?

3 A Yes, that is so.

4 Q Before that you were chiefly engaged in  
5 pedagogical work weren't you; or in pedagogical  
6 activities, weren't you?

7 A Yes.

8 Q You personally participated in military  
9 operations in Shanghai, Nanking, Hsuehchow and Hankow,  
10 did you not?

11 MR. BLAKENEY: If the Tribunal please, I  
12 object to this line of questioning as being without  
13 the scope of the direct testimony about operations in  
14 which he participated.

15 THE PRESIDENT: Colonel Smirnov.

16 COLONEL SMIRNOV: Your Honor, by this line of  
17 questioning I tried to establish whether the witness  
18 is competent to give the evidence which he is giving.  
19 As far as I know my learned colleague, who has just  
20 made the objection, often used this way of questioning  
21 in preceding phases.

22 THE PRESIDENT: Yes, Major Blakeney.

23 MR. BLAKENEY: The witness testified only to  
24 the facts that occurred while commander of the 6th  
25 Army, and what he was told by others there.

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1 THE PRESIDENT: The question is directed to  
2 these particular operations and it is not very easy  
3 to draw the line. To disallow the question would,  
4 I think, be to draw too narrow ---- too strict --  
5 to take too strict a view. The witness will answer  
6 the question.

7 THE INTERPRETER: The witness answered "yes"  
8 your Honor.

9 Q However, prior to your arrival there on  
10 August 13, 1939, you were not connected in any way  
11 with the Manchurian theater of operations, partic-  
12 ularly with the sector where the 6th Army was located,  
13 is that correct?

14 A That is so.

15 Q Prior to that time you made no special  
16 investigations as to where was the boundary line in that  
17 area, is that correct?

18 A Until I was appointed to that post I never  
19 made any such research.

20 THE MONITOR: Investigation rather than  
21 research.

22 Q Do you know the time of the beginning of the  
23 fighting operations in the Khalkin-Gol area?

24 A I think -- I believe the incident began  
25 around the middle of May.

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23 fighting operations in the Khalkin-Gol area?

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25 around the middle of May.

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1 Q At that time you were in China as commander  
2 of the 12th Division, weren't you?

3 THE RUSSIAN MONITOR: The 13th Division.

4 A. That is so.

5 Q What gives you the right to contend so  
6 categorically in your affidavit that the boundary line  
7 ran on the River Halha and was violated allegedly  
8 by the Soviet troops?

9 A I was able to ascertain this after I went  
10 to that area by investigations which I made on the  
11 spot, by inspection tours which I made, by reports  
12 made by my subordinates and from reports -- and from  
13 my direction of the fighting --- thereafter.

14 Q You arrived at the Khalkin-Gol area on  
15 August 13, 1939, is that correct?

16 A Yes.

17 Q For how many days had you been in this area  
18 prior to your departure for Hailar?

19 A On the 13th as soon as I assumed command of  
20 my army I arrived in the Halha river area and then  
21 went back the same day. On the 23rd I went there  
22 again in order to direct the fighting. Correction:  
23 in order to investigate the fighting.

24 Q Thus from the 14th of August to the 24th of  
25 August, you were absent from the area of the battle,

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weren't you?

1           A   That is so.

2           Q   And during this time you were engaged in  
3 inspecting troops stationed near Hailar -- in  
4 other words, in the area 100 kilometers distant from  
5 the Nomonhan area?

6           THE MONITOR: The two questions before this,  
7 direct or take command should be corrected again to  
8 direct the fighting. It was corrected to investigate,  
9 but that should be corrected again to take command.

10          Q   You arrived to the area of fighting again  
11 on the 24th, that is at the time of the most hard  
12 fighting in the whole history of the Nomonhan  
13 operations?

14          A   There was almost no fighting from the 13th to  
15 the 19th.

16          Q   My question was evidently mistranslated.  
17 I asked you whether you arrived again at the area  
18 of the fighting on the 24th of August at the time  
19 when there was most hard fighting in that area?

20          A   It was on the 19th -- it was on the 19th  
21 that the Mongolian and Soviet forces crossed the  
22 border in force and attacked us. I heard of this  
23 situation on the night of the 20th and ---  
24

25          Q   I ask you quite another question. I ask you

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1 whether you arrived at the Khalkin-Gol area on the  
2 24th during the climax of the fighting operations,  
3 was that correct?

4 A On the evening of the 23rd I went to the  
5 field of battle.

6 THE MONITOR: Your Honor, the statement  
7 made by the witness contained no subject so we are  
8 inquiring into that, sir.

9 A The prosecutor used the word returned to  
10 the battle field, but I meant to say that I went to  
11 the battle field for the first time. Excuse me,  
12 correction, I advanced to the battle field.  
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12 correction, I advanced to the battle field.

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1 Q At any rate when you returned to the battle area  
2 on the 23d of August that was the time of the climax  
3 of the fighting; is that correct?

4 A That is so. However, it was not a period of  
5 time.

6 However, I was not returning -- correction.

7 Q I understand what you speak about. At any  
8 rate from August 23d to the 30th of August in the  
9 Nomongan area it was the most hardest fighting of the  
10 whole history of the Nomongan incident; is that cor-  
11 rect?

12 A Yes.

13 Q You were there at that time so you could have  
14 conducted investigations as to where the boundary line  
15 passed, let us say, on May 15, 1939. You had arrived  
16 at that time to direct battle operations, hadn't you?

17 A Yes. I saw the territory in dispute with my  
18 own eyes on the field of battle -- in the field of  
19 operations.

20 Q Thus the information given to you by Major  
21 General KAMATSUBARA, former commander of the 23d  
22 Division is your only source of information as to the  
23 boundary line as it was passing on the 15th of May 1939,  
24 is that so?

25 A I went to the field of battle and I directed

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1 the operations of my subordinates because I knew where  
2 the boundary line was.

3 Q From what sources did you know that? From the  
4 information given you by Major General KAMATSUBARA?

5 A Yes, Lieutenant General KAMATSUBARA reported  
6 to me on the field of battle.

7 THE MONITOR: I received a report from him.

8 Q That was approximately on August 14th or  
9 August 15th 1939, was it not?

10 A No. On the 14th and 15th of August I was in  
11 Hailar and did not see Lieutenant General KAMATSUBARA.

12 Q When was it then?

13 A On the 13th when I arrived on the field of  
14 battle we met each other for the first time there. And  
15 after the 23d up to the end of the fighting we were  
16 continuously together in the field of operations.

17 Q At any rate your source of information as  
18 to where the border line was passing was for you the  
19 information given by General KAMATSUBARA; isn't it so?

20 A Lieutenant General KAMATSUBARA was not my only  
21 source of information. From all the information that  
22 I was able to gather I saw, heard and judged for myself,  
23 and then based my operations on that judgment.

24 THE MONITOR: With conviction.

25 Q What personal impressions could you derive from

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the battle area? What was the stage of the fighting,  
size of fighting parties when you arrived to the area?  
I ask you to give characterization of the fighting  
situation at that time?

A This is the situation of August 13th: Strong  
artillery of the Outer Mongolian and Soviet forces  
based on the west side -- based on the hills on the  
west side of the Halha River were bombarding our forces.

Q Were the infantry units on the eastern side  
of the Halha River at that time?

A The 23d Division and units under its command  
were in scattered positions on the east side of the  
Halha River.

Q Will you state were the Soviet and Mongolian  
troops both on the eastern bank of the Halha River?

A A very small proportion of the Soviet and  
Outer Mongolian forces had crossed the river and were  
on the east side.

Q At any rate, even at that time when you arrived  
to the area of the fighting the small -- or the large  
part of the Soviet and Mongolian troops were on the  
eastern bank of the Halha River; was it not so?

A Yes.

Q And later the whole area of the battle was  
on the east bank of the Halha River? I speak about the

last ten days of August, from the 20th to the 30th.

1 A Yes.

2 Q Do you remember the geographical names of this  
3 area -- of the points of this area -- of the main points  
4 of this area?

5 A I remember a few. Would you please ask me  
6 specifically?

7 Q The area of the fighting was then divided into  
8 two parts, the northern part and the southern part,  
9 and it was divided by the River Hailastyn which flows  
10 into the Khalkin Gol River?

11 A That is so.

12 Q The most remote point, starting from the Halha  
13 River, was the point named Nomonghan-Burd-Obo which is  
14 approximately twenty kilometers from the place where  
15 the Hailastyn River flows into the Halha River? I  
16 speak about the depth of the front.

17 A It was on the northeastern -- it was to the  
18 northeast?

19 Q That is quite correct, it was to the northeast  
20 and it was approximately twenty kilometers deep?

21 A It was approximately as you say.  
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1 Q And along the front, the area of the fight-  
2 ing was approximately sixty or seventy kilometers  
3 wide, the area of the fighting on the eastern bank  
4 of the Halha River.

5 A Our forces were scattered at different  
6 points and were defending their positions.

7 Q I understand you. But, in this case, I  
8 wanted to speak in military terms with you.

9 THE PRESIDENT: This cross-examination,  
10 Colonel, is not very helpful when our main duty  
11 here is to determine boundaries. I suggest that you  
12 use maps more freely. On the map before me, I have  
13 failed to see yet a single name that you have men-  
14 tioned. I may have the wrong map, but I do not  
15 think so. Hailar is the only name on this map that  
16 we recognize.

17 COLONEL SMIRNOV: Your Honor, as to maps,  
18 I am rather in a difficult position.

19 THE PRESIDENT: I am looking at exhibit No.  
20 2650-C which I assume covers the area. Perhaps I  
21 wrongly assume so.

22 COLONEL SMIRNOV: No, your Honor. The map  
23 which may cover the area of the fighting is the map  
24 attached to exhibit No. 767, but the point is, your  
25 Honor, that photo copies of this map were made with-

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1 out using filters and that is why the river itself  
2 is hardly distinct on this map. We tried to make  
3 for the Court new copies of the map, but we were  
4 not given the exhibit to make photo copies of it.

5 THE PRESIDENT: Well, with all respect, I  
6 suggest that we are wasting time in listening to  
7 this witness being cross-examined without the assist-  
8 ance of maps which show the places to which he refers  
9 and to which you refer, Colonel.

10 COLONEL SMIRNOV: Your Honor, then may the  
11 witness be shown the original copy of exhibit 767?

12 THE PRESIDENT: I understand from my  
13 colleagues who have made a careful study of the map  
14 attached to exhibit No. 767 that it is not a good  
15 map because it does not give the names that we have  
16 been hearing from you. However, the witness may  
17 convert it into a map by making markings on it, a  
18 map that we can understand.

19 COLONEL SMIRNOV: Your Honor, we sent a  
20 request for a new, more distinct map to Moscow --  
21 to be sent from Moscow, with the scales correspond-  
22 ing to the scale of the map attached to the agree-  
23 ment between Molotov and TCGO and not reduced five  
24 times.

25 THE PRESIDENT: Try him on the map attached



1 (Whereupon, a document was handed  
2 to the witness.)

3 THE PRESIDENT: This is a matter of great  
4 importance, and could not the parties agree on some  
5 map or copies of the map to be marked by witnesses?

6 COLONEL SMIRNOV: Your Honor, if you will  
7 allow me and if the defense will have no objections,  
8 I can produce a more distinct scetch map to be marked  
9 by the witness. I may produce an excerpt from the  
10 map of the Red Army General Staff.

11 THE PRESIDENT: Unless he marks the map,  
12 his evidence will not be of great assistance, and  
13 yet we cannot let him mark the originals.

14 Can you pass from this to another subject  
15 while you are attempting to get an agreement on some  
16 map or maps? It is suggested to me, Colonel, that  
17 it is useless to mark on a map of such a scale as  
18 this. It is too diminutive. It should be on a much  
19 bigger scale.

20 COLONEL SMIRNOV: May I ask the Court for  
21 permission to produce an enlarged copy of this map  
22 in the form of a sketch map on which the witness can  
23 make his markings, as well as other witnesses?

24 THE PRESIDENT: That is just what we want,  
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CROSS

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23 make his markings, as well as other witnesses?

24 THE PRESIDENT: That is just what we want,  
25 Colonel.

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COLONEL SMIRNOV: Yes, sir.

BY COLONEL SMIRNOV (Continued):

Q Now, Mr. Witness, will you tell me about the strength of the units included into the 6th Army? Was the whole strength of the 23rd and 7th Divisions included into this army?

A All of the 23rd Division, part of the 7th Division.

Q Besides, was the Manchurian Mixed Infantry Brigade included into this army?

A They were under my command, but I did not get to direct the commanding of them.

Q Were also three regiments of the Bargut Cavalry under your command?

A Yes, I believe they were.

Q Did the army include three regiments of heavy artillery?

A Yes.

Q Were not all Anti-Tank Batteries of the 1st Infantry Division attached to the units under your command?

A In the course of the fighting from the 20th of August to the 30th, because our forces were in an unfavorable position, we received reinforcements from time to time from the Kwantung Army.

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1 Q Was not a part of the heavy artillery from the  
2 Port Arthur Fortress sent to the units under your  
3 command?

4 A No.

5 Q Do you remember the numbers of the regiments  
6 included in the army?

7 A I do not know.

8 Q I will try to refresh your memory. Were not  
9 the 71st, 72d, 64th, 28th, 27th and 26th and 25th  
10 Infantry Regiments included in the army?

11 A The last two regiments were reinforcements  
12 sent later. The other regiments of which you spoke  
13 were all under my command.

14 Q Were not the 71st and 28th Infantry Regiments  
15 dislocated to the south of Hailastyn River which flows  
16 into Khalkhin-Gol River, and the 72d and 64th and 26th  
17 Regiments to the north of the said river, on the  
18 eastern bank of the Khalkhin-Gol River?

19 A Yes.

20 Q How many planes were attached to the Japanese  
21 units during these military operations?

22 A Under my command there was a liaison company  
23 as well as airplanes which served as ambulances. How-  
24 ever, we had air forces cooperating with us -- we had  
25 some air forces.

OGISU

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1 THE MONITOR: "Some planes," rather.

2 Q I ask you another question: Didn't the  
3 special or separate army group participate in the  
4 fighting in the Nomonhan area on the Japanese side?

5 A Since they were not under my command, I do  
6 not know.

7 Q Was not the first separate tank group attached  
8 to the Japanese units during the operations in the  
9 Nomonhan area?

10 A From the 20th to the 30th, our army had no  
11 tanks.

12 Q Was not a separate tank group attached to the  
13 units under your command?

14 A No, they did not participate in the fighting.

15 Q Then, maybe they were not used in the fighting  
16 itself, but they were at the disposal of the command of  
17 the army?

18 A No, they were not. They were not under my  
19 command.

20 Q When you arrived to the area of fighting on the  
21 24th of August, the Japanese system of the army group  
22 defense south of the Hailastyn-Gol River had been already  
23 broken; was it not so?

24 A It was not yet broken. From around the 27th,  
25 various points held by our army began to be destroyed.



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1 Q Were not the fighting operations of the Soviet  
2 and Mongolian forces in the period from August 20 to  
3 August 24 -- to August 30, directed on the encirclement  
4 of the Japanese units which were east of the Khalkhin-Gol  
5 River?

6 A Yes.

7 Q And the Soviet troops which started the  
8 encirclement, both the troops of the Soviet units  
9 connected in the area of Nomongan-Burd-Obo, was it not  
10 so?

11 A Since the area in which the fighting took  
12 place was a wide, grassy plain, among the various points  
13 of our army some were encircled and in some their line  
14 of defense was broken. However, the army as a whole  
15 was not encircled at one spot.

16 Q I ask you slightly another question: I ask  
17 you whether the Soviet and Mongolian forces could advance  
18 farther than the point called Nomongan-Burd-Obo, where  
19 two tank groups of the Soviet troops joined each other?

20 A The Soviet forces came attacking us in  
21 scattered groups and they did not make a concentrated  
22 attack against our forces at one point. Myself, OGISU,  
23 the Commander of the Sixth Army, had my command point  
24 at a point southwest of Obo and was able to keep that  
25 position to the end.



OGISU

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1 Q At any rate, the Soviet and Mongolian forces  
2 did not advance farther than the Nomongan-Burd-Obo --  
3 to the east of the Nomongan-Burd-Obo; to the east of it?

4 A On the whole, they did not advance.

5 COLONEL SMIRNOV: Your Honor, may I ask the  
6 Court to mark for identification a map published by  
7 the Soviet General Staff in 1935, and prepared for  
8 publication in 1934?

9 THE PRESIDENT: You may have it marked for  
10 identification.

11 CLERK OF THE COURT: The map made by the USSR  
12 and published in 1935 will receive exhibit No. 2657  
13 for identification only.

14 (Whereupon, the document above  
15 referred to was marked defense exhibit  
16 No. 2657 for identification.)

17 THE PRESIDENT: No map will be any good to us,  
18 Colonel, unless the names are in English. And, further,  
19 some of these places have two names. We would like to  
20 have both names on each map used.

21 COLONEL SMIRNOV: Your Honor, the copies of  
22 the parts of this map pertaining to the area of the  
23 fighting will be distributed to the Court right now.

24 THE PRESIDENT: Until the witness in some way  
25 marks it or acknowledges it, we cannot really accept

OGISU

CROSS

1 it as evidence. However, I see no harm in giving the  
2 Members of the Court copies of the map, in the belief  
3 or in the hope that the witness will use the map and  
4 mark places on it, subject to any objection by the  
5 prosecution.

6 COLONEL SMIRNOV: Your Honor, now may the wit-  
7 ness be shown, as well as the copy of this map, both  
8 the copy of this map and the original prepared by the  
9 General Staff?

10 (Whereupon, a document was handed  
11 to the witness.)

12 Q Mr. Witness, do you know topographical signs?  
13 I ask you to use the original, the big map.

14 A On the whole I feel I can distinguish topo-  
15 graphical signs.

16 THE PRESIDENT: We will recess now for  
17 fifteen minutes.

18 (Whereupon, at 1045, a recess was  
19 taken until 1100, after which the proceedings  
20 were resumed as follows:)  
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1 it as evidence. However, I see no harm in giving the  
2 Members of the Court copies of the map, in the belief  
3 or in the hope that the witness will use the map and  
4 mark places on it, subject to any objection by the  
5 prosecution.

6 COLONEL SMIRNOV: Your Honor, now may the wit-  
7 ness be shown, as well as the copy of this map, both  
8 the copy of this map and the original prepared by the  
9 General Staff?

10 (Whereupon, a document was handed  
11 to the witness.)

12 Q Mr. Witness, do you know topographical signs?  
13 I ask you to use the original, the big map.

14 A On the whole I feel I can distinguish topo-  
15 graphical signs.

16 THE PRESIDENT: We will recess now for  
17 fifteen minutes.

18 (Whereupon, at 1045, a recess was  
19 taken until 1100, after which the proceedings  
20 were resumed as follows:)  
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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Colonel Smirnov.

4 COLONEL SMIRNOV: Yes, your Honor.

5 BY COLONEL SMIRNOV (Continued):

6 Q So, Mr. Witness, may I draw your attention  
7 to the topographical signs on the original of the  
8 map.

9 THE PRESIDENT: He is now looking at exhibit  
10 2657, tendered for identification only.

11 Q (Continuing) Mr. Witness, I ask you to  
12 pay attention to the topographical signs on the  
13 original of the map and not on the topographical  
14 signs which are on the copy of the map. These signs,  
15 if I remember correctly, are on the right-hand  
16 corner at the bottom of the map. Have you found  
17 these topographical signs?

18 A Yes.

19 Q Is it absolutely clear to you, Mr. Witness,  
20 how the frontier line is marked on this map?

21 A I can see the Russian border.

22 Q Do you know well that the state frontier  
23 lines are marked on the map by a broken line consisting  
24 of dashes and dots?

25 A I have heard the borderline was so decided

1 after the Molotov-TOGO negotiations.

2 Q No. In this case I speak about quite another  
3 matter, Mr. Witness. Is it clear to you how the  
4 frontier lines are marked on the maps?

5 A I suppose the lines marked by dots and  
6 dashes is that borderline.

7 COLONEL SMIRNOV: Your Honor, may I ask the  
8 Russian-Japanese interpreter to show the witness  
9 the line by which the frontier is marked?

10 THE PRESIDENT: You had better point it  
11 out to him and let us see what you are pointing out,  
12 Colonel. If it is merely a line on a map you can  
13 indicate it with your finger.

14 (Whereupon, Colonel Smirnov indicated  
15 to witness.)

16 THE INTERPRETER: The witness said "I do  
17 not understand."

18 COLONEL SMIRNOV: Your Honor, I have shown  
19 to the witness three markings on the map, and I can  
20 now by some way show them to the Tribunal also --  
21 in some way show them to the Tribunal also.

22 THE PRESIDENT: Well, let us see what you  
23 showed the witness. Bring the map that he looked  
24 at to us. Let Mr. Blakeney come with you because  
25 he observed what you showed the witness.

1           That map, of course, is not yet in evidence.  
2 subject to any objections we will look at this now.

3           What was pointed out to the witness?

4           Colonel Smirnov says the borderline was  
5 pointed out or the indications thereof in the legend  
6 at the foot of the map. Colonel Smirnov, in the  
7 presence of Major Blakeney, will point out the part  
8 of the map indicated by Colonel Smirnov to the  
9 witness to all the Judges.

10           (Whereupon, Colonel Smirnov indicated  
11 to the Members of the Tribunal.)

12           THE PRESIDENT: (Continuing) He has been  
13 asked to point out what has been pointed out to the  
14 witness so we may test the witness' credibility, and  
15 there is no objection by the parties to the parts  
16 pointed out to the witness being indicated to us.

17           (Addressing Colonel Smirnov) You had better  
18 go back to the lectern and ask the witness whether  
19 he now understands.  
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1 COLONEL SMIRNOV: Your Honor, as far as  
2 I understood, the witness told that he didn't  
3 understand the marking made in the right corner at the  
4 foot of the map.

5 THE PRESIDENT: He may not understand the  
6 writing if it isn't Japanese writing. I don't know  
7 what that writing is.

8 COLONEL SMIRNOV: Might I be permitted,  
9 your Honor, to let the Japanese-Russian interpreter  
10 translate this inscription to the witness?

11 THE PRESIDENT: I see no objection un-  
12 less the parties do. What the Russo-Japanese in-  
13 terpreter says to the witness must be interpreted  
14 in English immediately, so the interpreter must  
15 speak out loudly.

16 (Whereupon, the reading of the  
17 Russo-Japanese interpreter was translated  
18 as follows:)

19 THE MONITOR: "This map was drawn up by the  
20 map section at Rostov in 1934, and the drafting of  
21 this map was completed in 1935 by the map section  
22 in Moscow."

23 THE PRESIDENT: That isn't what you wanted  
24 him to read, is it?

25 COLONEL SMIRNOV: No, your Honor. I



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1 asked him to translate this inscription, which cer-  
2 tifies the year in which the map was published.

3 THE PRESIDENT: I thought you wanted the  
4 interpreter to read to the witness in Japanese  
5 the description of those markings in the legend  
6 which you say are the borderline, so that he might  
7 trace thereafter on the map the borderline as repre-  
8 sented by your side.

9 COLONEL SMIRNOV: Your Honor, now I am go-  
10 ing to ask this question: May I be allowed to ask  
11 him whether he understands how the frontier lines  
12 are marked on the map? It seems to me that now he  
13 understands it.

14 THE PRESIDENT: He may understand it. You  
15 can ask him a question on that assumption.

16 BY COLONEL SMIRNOV:

17 Q Mr. Witness, do you understand in what way  
18 the frontier line is marked on this map?

19 A I said so. I said what I thought to be  
20 the borderline a few minutes ago. I told you what  
21 I thought to be the borderline a few minutes ago.

22 Q Now I ask you to look at the original of  
23 the map and the copy of the portion of the map  
24 which you have, and to find out whether the copy  
25 of the map coincides fully with the original of

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1 the map. Have you found this place on the map?

2 A Yes, I found it.

3 Q Now I ask you whether in the main this  
4 sketch map, this copy, corresponds with the original.

5 THE PRESIDENT: In respect of that marking  
6 which is represented to be the borderline.

7 A I suppose it is what corresponds to the  
8 original.

9 Q Will you answer the following question, Mr.  
10 Witness? Do you see the river Khalkin-Gol?

11 A Yes, I can see it.

12 Q Do you see the Boir Lake?

13 A Yes, I can distinguish it.

14 Q Do you see the line consisting of dashes  
15 and dots, that is, the broken line by which the  
16 state border is marked?

17 A Yes.

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1 Q May I ask you, Mr. Witness, to mark with  
2 pencils of different colors the following lines: the  
3 line of the river in blue pencil and the border line  
4 in red pencil.

5 MR. BLAKENFY: I assume that counsel means  
6 the border line as shown on this map.

7 THE PRESIDENT: So do we.

8 COLONEL SMIRNOV: Yes, your Honor.

9 Q Have you marked these places, these lines?

10 A Did you ask me to mark in black the border  
11 line as asserted by the Soviet side?

12 Q Yes, Mr. Witness. I ask you to mark the line  
13 without your personal view of the question; only from  
14 the point of view of how it is on the map.

15 A The border line is already clearly indicated  
16 on that map, isn't it?

17 Q May I see the map with your markings? Now,  
18 Mr. Witness, will you tell me is the border line shown  
19 on the map issued by the Russian General Staff in 1934  
20 east of the Khalkhin-Gol River?

21 A I have just seen right now the border line as  
22 asserted by the Soviet side.

23 COLONEL SMIRNOV: I don't want to argue with  
24 you whether you agree to it or not.

25 THE PRESIDENT: You should now tender that

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1 exhibit and the copy finally.

2 COLONEL SMIRNOV: Your Honor, I would like to  
3 ask several questions, ask the witness several questions  
4 and have him mark several places on the map, and after  
5 that I would like to tender this map if you permit.

6 THE PRESIDENT: Very well.

7 Q Mr. Witness, is this River Hailastyn which  
8 flows into the Khalkhin-Gol River, that river which  
9 divided the area of the fighting into two parts?

10 A Yes.

11 Q Will you tell me now did the fighting go  
12 farther the point which is on this sketch map which  
13 is called Nomonghan-Burd-Obo -- farther than that point?

14 A On the whole the fighting did not go farther  
15 than that.

16 Q So the farthest point which was reached by  
17 the Soviet and Mongolian troops was Nomonghan-Burd-  
18 Obo, was it so?

19 A Since we were extended on a wide front, I do  
20 not believe that any forces were concentrated at one  
21 point.

22 Q I did not ask you about that. I asked you  
23 whether the Soviet and Mongolian troops went farther  
24 than the point called Nomonghan.

25 THE PRESIDENT: Well, he said they did not.

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1 Q Now I will ask you to mark by a cross sign  
2 the point called Nomonghan.

3 THE PRESIDENT: Well, it is clearly visible  
4 on this map. I don't know that we want it indicated  
5 any further.

6 Q Now, Mr. Witness, I ask you to mark with  
7 colored pencil the entire territory on the east bank  
8 of the Khalkhin-Gol River on which the fighting occurred  
9 during the events of the Nomonghan Incident.

10 THE PRESIDENT: What colored pencil is he  
11 using? I suppose we can find out in any event.

12 COLONEL SMIRNOV: He uses blue pencil, your  
13 Honor.

14 A I have indicated the battle lines of the two  
15 opposing forces as of the 27th and 28th of August.  
16 The blue line indicates the Japanese side; the red line  
17 the Soviets.

18 COLONEL SMIRNOV: May I see what your markings  
19 are? May I be allowed to do that, your Honor?

20 THE PRESIDENT: You may.

21 (Whereupon, the map was handed to  
22 Colonel Smirnov and then returned to the  
23 Witness.)

24 Q Mr. Witness, will you tell me now whether the  
25 fighting went beyond even one of the points in the area

OGISU

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1 beyond the border line which is marked on the map of  
2 the general staff of 1934?

3 A Because I think this is something that happens  
4 always in any battle and I believe that at some points  
5 the Soviets crossed the border -- their so-called  
6 border -- at some points they were to the west of that  
7 border. Since the whole area was a wide, grassy plain  
8 with hardly any landmarks, it is very difficult to  
9 determine where the actual border is, and although  
10 the border line is indicated clearly on that map, if  
11 you go to the area it is just a wide, empty open plain;  
12 the border line is not marked on this plain.

13 Q Will you tell me then, according to the marks  
14 which you made on the map all the fighting occurred  
15 on the territory to the west of the border line shown  
16 on the map of the general staff?

17 A On the whole, yes.

18 Q Will you tell me when the hostilities ceased  
19 in this area and the truce was signed?

20 A I believe it was on the 16th of September  
21 that the truce agreement was signed.

22 Q And will you tell me whether the parties engaged  
23 remained in the positions approximately corresponding  
24 to the border line which you showed on the map today --  
25 this morning?

A A Yes.



1 Q Will you tell whether the territory under  
2 dispute was after the truce had been signed, remained  
3 after the truce had been signed on the Mongolian terri-  
4 tory, was it not?

5 A Since by that time I had already left the  
6 field of operations I don't know.

7 COLONEL SMIRNOV: Your Honor, now may I  
8 tender in evidence the original of the map of the  
9 General Staff, the copies of that map, and the copy  
10 which contains the markings made by the witness.

11 THE PRESIDENT: Major Blakeney.

12 MR. BLAKENEY: I have no objection to the  
13 map as a map; nor have I any objection to the mark-  
14 ings made by the witness for whatever value they  
15 have. But there having been considerable discussion  
16 about border lines as shown on the map and about dates,  
17 I do object to the extent that that is offered as  
18 hearsay testimony, to its reception in evidence without  
19 some supporting certificate of authenticity or origin.

20 THE PRESIDENT: To the extent that the witness  
21 has marked these maps we accept them as evidence. We  
22 quite understand they come from the prosecution's side,  
23 and he has accepted nothing as to their accuracy.

24 MR. BLAKENEY: Of course, I assume that in  
25 all cases of this sort full distribution of copies

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1 will be made in the usual way as time permits.

2 THE PRESIDENT: Our rules affecting documents  
3 apply to this.

4 The map and the copy before the witness are  
5 admitted on the usual terms.

6 CLERK OF THE COURT: The map from exhibit  
7 2657 is now received in evidence, and the copy of the  
8 map of said exhibit together with the witness' mark-  
9 ings will receive exhibit No. 2657-A..

10 (Whereupon, the map attached to  
11 exhibit 2657 was received in evidence, a  
12 copy of the map with the witness' markings  
13 being marked exhibit 2657-A and received in  
14 evidence.)

15 COLONEL SMIRNOV: Your Honor, May I ask  
16 a last question?

17 THE PRESIDENT: Certainly.

18 Q Mr. Witness, I will give you another copy  
19 of this sketch map and ask you to shade the area east  
20 of Khalkhin Golr River which was considered to be under  
21 dispute.

22 THE PRESIDENT: Major Blakeney.

23 MR. BLAKENEY: If the Tribunal please, I do  
24 think this is a frightful waste of time. The area  
25 under dispute is plainly shown by the evidence to be

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1 the area between the border claimed by the USSR as  
2 marked on this map and the boundary claimed by Japan,  
3 which has been stated to be the Malkhin River.

4 THE PRESIDENT: At present we see no reason  
5 for that, Colonel.

6 COLONEL SMIRNOV: Your Honor, if this  
7 question is absolutely clear I withdraw my question.

8 THE PRESIDENT: I do not know -- I will not  
9 speak on behalf of all the members of the Tribunal  
10 as to what is clear, but we do not want this question  
11 put. It does not help us.

12 COLONEL SMIRNOV: Then I withdraw my question,  
13 your Honor.

14 COLONEL SMIRNOV: That is all, your Honor.

15 THE PRESIDENT: Major Blakeney.

16 MR. BLAKENEY: In the course of cross-examina-  
17 tion counsel put to the witness statements allegedly  
18 made by him and purporting to be read from a document  
19 issued by him. I ask, in accordance with our rules,  
20 that that document be tendered for identification.

21 THE PRESIDENT: That should be done, Colonel  
22 Smirnov.

23 COLONEL SMIRNOV: Your Honor, I can't quite  
24 understand what documents my learned colleague means.  
25 It may be if he will indicate them --

1 THE PRESIDENT: It is a document that you  
2 appeared to read from yesterday afternoon. I recollect  
3 it distinctly. You read two sentences, I think. It  
4 appeared to come from an order issued by the Com-  
5 manding General on the Japanese side.

6 COLONEL SMIRNOV: That is quite correct,  
7 your Honor. I actually read two sentences. I read  
8 them out of the transcript of proceedings of Octo-  
9 ber 16, 1946. These are excerpts from exhibit 766.  
10 The point is, your Honor, that in the order of the  
11 Commander of this army group -- correction, please --  
12 that in the report made by General Zhukov, Commander  
13 of this army group, a large portion of the Commander of  
14 the Sixth Army was quoted -- a large portion of the  
15 order of the Commander of the Sixth Army was quoted.  
16 By the questions I asked yesterday I wanted to  
17 identify this document. As the witness said that  
18 he didn't remember these proclamations made by him  
19 I passed to other questions and probably will have  
20 to identify this document in some other way.

21 THE PRESIDENT: We will recess until half-  
22 past one.

23 (Whereupon, at 1200, a recess  
24 was taken.)  
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## AFTERNOON SESSION

The Tribunal met, pursuant to recess, at 1330. Hon. Ju-fo Mei, Member from the Republic of China not sitting.

MARSHALL OF THE COURT: The International Military Tribunal for the Far East is now resumed.

R I P P E I O G I S U, called as a witness on behalf of the defense, resumed the stand and testified through Japanese interpreters as follows:

THE PRESIDENT: Major Blakeney.

MR. BLAKENEY: I have a few questions in re-examination.

THE PRESIDENT: Colonel Smirnov.

COLONEL SMIRNOV: Your Honor, I completed my explanation concerning the quotations which I made yesterday during the cross examination. The only question I have is concerning the reproduction of the parts of the map attached to Exhibit 767. If the Court will think it expedient to have this map produced and processed, we would like to have a Court order concerning the possibility of having this Exhibit 767 for one day to make the enlarged

OGISU

REDIRECT

1 copies of the map and to process it. That is all I  
2 wanted to say.

3 THE PRESIDENT: I think that my colleagues  
4 have enough maps now. They do not seem to want any  
5 more.

6 Major Blakeney, have you any objection to  
7 the witness marking on that map, the copies of the  
8 map that he last produced, where he contends the  
9 boundary was between Manchuria and Outer Mongolia?  
10 Before you answer me, I know what the Japanese con-  
11 tention is about that.

12 MR. BLAKENEY: I have no objection whatever,  
13 your Honor. Then I ask that the witness be handed  
14 Exhibit 2657-A in order that he may mark on it the  
15 boundary between Mongolia and Manchuria according to  
16 the Japanese contention.

17 (Whereupon, a document was handed to  
18 the witness.)

## REDIRECT EXAMINATION

19 BY MR. BLAKENEY:

20 Q Witness, do you require the original in order  
21 to find the point you wish to mark?

22 A If I could have the map which I used on the  
23 field of battle I should be very happy. There ought  
24 to be a Japanese map of Greater East Asia.  
25



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REDIRECT

1 Q I am going to present you with a Japanese map  
2 in a moment, but for the time being, at the request  
3 of the President, I should like you to mark on this  
4 map, as well as you are able, where the boundary lay  
5 according to the Japanese contention. Can you do that?

6 A I shall. Shall I do it now?

7 Q Yes, please. And I suggest marking it with  
8 a dotted line, or in some other way, to distinguish it  
9 from the other marks already made.

10 A I have finished.

11 MR. BLAKENEY: Let the map be passed back to  
12 the clerk, please.

13 (Whereupon, the document was returned  
14 to the clerk.)

15 MR. BLAKENEY: Shall I proceed?

16 THE PRESIDENT: Proceed.

17 MR. BLAKENEY: Just one more point in  
18 connection with this matter. I ask that the witness  
19 be shown Exhibit 2,653.

20 (Whereupon, a document was handed to  
21 the witness.)

22 Q Please look at that map, Mr. Witness, and  
23 state what it is, if you know. You had better  
24 unfold it completely.  
25

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REDIRECT

1           A This is a Japanese map, scale 1:2,500,000  
2 and is a map which I very frequently saw while on the  
3 field of battle.

4           Q Can you find on that map a statement of  
5 the source and date?

6           A Printed on 10 July 1937, published on 15 July  
7 1937, copyrights, ownership rights and publication  
8 rights reserved by the publisher, the Land Survey  
9 Department of the Imperial Japanese Army.  
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1           A   This is a Japanese map, scale 1:2,500,000  
2           and is a map which I very frequently saw while on the  
3           field of battle.

4           Q   Can you find on that map a statement of  
5           the source and date?

6           A   Printed on 10 July 1937, published on 15 July  
7           1937, copyrights, ownership rights and publication  
8           rights reserved by the publisher, the Land Survey  
9           Department of the Imperial Japanese Army.

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1           Q From looking at that map can you tell the  
2 Tribunal where it shows the boundary between Manchuria  
3 and Mongolia in the Nomonhan area?

4           A May I state it?

5           Q Please do.

6           A From Lake Buir Nor to the lower reaches of the  
7 Halha River to Handagaya the border runs along the  
8 line of the Halha River on the western bank. From  
9 Handagaya to the south there is a tributary of the Halha  
10 River which goes towards the south, and the border line  
11 goes to the south from there.

12           Q Then if I understand you correctly, in the  
13 Nomonhan area, that is to say in the area of the maps  
14 with which you were presented in cross-examination,  
15 the boundary is the Halha River. Is that correct?  
16

17           A Yes.

18           Q Very well. Now, leaving the matter of maps,  
19 I have one or two other points I wish to ask you about.

20           You state in cross-examination that generally  
21 speaking the Russian forces did not penetrate beyond  
22 the boundary claimed by them. Was that true of ground  
23 forces and air forces alike?

24           A As far as land forces were concerned, as far as  
25 large land forces were concerned they were more or less  
concentrated along the border line, as I have stated

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REDIRECT

1 before. However, I have heard -- it was reported to  
2 me by my subordinates that the Russian air force --  
3 I heard in reports from my subordinates, as well as  
4 from my superiors, that the Russian air force had  
5 carried out large-scale attacks in the middle of June  
6 and in July on points far in the interior of Manchuria  
7 around Hailun Arshan and the Nonni River. While the  
8 land forces were carrying on their fighting when I  
9 was in that area I saw day after day dog fights going  
10 on between the Russian and Japanese air forces above  
11 the area on which we were fighting, and then I saw  
12 Russian planes going farther on into the interior of  
13 Manchuria.

14 I saw Russian planes daily strafing and bombing  
15 our positions in the rear, especially our line of com-  
16 munications from Hailar to Nomonhan was heavily bombed  
17 and strafed every day by the Russian airplanes, and  
18 severe damage was sustained along this line.

19 Q Among the official reports received by you  
20 from subordinates or superiors, was there mention of  
21 the fact that prior to your arrival as commander of  
22 the Sixth Army Soviet air forces had bombed other  
23 cities of Manchuria?

24 A As I have just stated, I have heard that  
25 large-scale attacks were carried out on Halun Arshan

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and the Nonni River.

Q What I meant was, were any other cities bombed in addition to those you have already mentioned?

A Ganchjur-Sumu was also bombed. A place called Ganchjur-Sumu was also bombed.

Q Did you receive any reports of the bombing of the city of Tsitsihar?

A No.

Q Were the bombings by Soviet airplanes which you have mentioned at points east of the line claimed by the U.S.S.R. as the boundary?

A The points which I mentioned just now are points far to the east of the line as finally decided upon as the result of the TOGO-Molotov agreement.

Q And also were they to the east of the line claimed by the U.S.S.R. at that time as the boundary?

A Yes.

Q Now, my last point. Can you state approximately the strength of the Soviet forces at the time you were in command of the Sixth Army?

A We estimated the Russian forces which crossed the Halha River on the 19th of August to total three infantry divisions, several artillery brigades, five hundred tanks and two hundred airplanes.

MR. BLAKENEY: No further questions.



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1 May the witness be excused on the usual  
2 terms?

3 THE PRESIDENT: He is excused accordingly.

4 (Whereupon, the witness was excused.)  
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1 MR. BLAKENEY: Inasmuch as I am informed that  
2 the Clerk now has copies of defense document No. 240  
3 which I attempted to offer yesterday, I again renew  
4 the offer of that document.

5 THE PRESIDENT: Mr. Comyns Carr.

6 MR. COMYNS CARR: The prosecution objects to  
7 this document as being immaterial, your Honor. The  
8 only part of it dealing with the USSR is the last para-  
9 graph on page 2 and the greater part of page 3, and  
10 that merely recapitulates other evidence which either  
11 has been given or is on the list to be given of a more  
12 direct character with regard to the matters with which  
13 it deals. The rest of the document dealing with other  
14 matters contains nothing new or important, and in our  
15 submission the reading of it would be merely a waste of  
16 time.

17 MR. BLAKENEY: I had proposed reading the last  
18 paragraph on page 2 of the document. Evidence has  
19 already been introduced of Japanese efforts toward  
20 demarcation of the boundary prior to the Nomonhan Inci-  
21 dent. The excerpt in question confirms that the same  
22 policy was being pursued by the Japanese Government after  
23 the Nomonhan Incident and that that policy was in a  
24 measure crowned with success. I should have thought  
25 that if we had a case of disputed boundary, it would be

1 clearly material to see which of the parties to the  
2 dispute had urged the solution of it, material as  
3 bearing on the question of aggressive intent or the  
4 absence thereof.

5 THE PRESIDENT: The Tribunal admits the docu-  
6 ment to the extent to which you have indicated, that  
7 is, paragraph 2 on the second page -- the last para-  
8 graph on the second page, which runs over into about  
9 the middle of the third page. The objection is over-  
10 ruled to that extent. It is admitted on the usual  
11 terms.

12 CLERK OF THE COURT: Defense document 240  
13 will receive exhibit No. 2658.

14 (Whereupon, the document above  
15 referred to was marked defense exhibit  
16 No. 2658 and received in evidence in part.)

17 MR. BLAKENEY: This is the address by Foreign  
18 Minister ARITA to the Diet on the 1st of February, 1940.

19 I read the last paragraph on page 2:

20 "The Japanese Government have always desired  
21 to adjust relations with the U.S.S.R. and so contribute  
22 toward ensuring the peace of East Asia as a whole. More  
23 recently, international feeling between the two countries  
24 having taken a turn for the better, we are planning to  
25 seek concrete and practical solutions of the principal

1 questions now pending, and a consequent general adjust-  
2 ment of Soviet-Japanese relations. With regard to the  
3 boundary questions, a truce agreement was signed last  
4 autumn in connection with the Nomonhan Incident; and  
5 since last December a temporary Manchoukuo-Mongolia  
6 boundary commission, representing the countries concerned,  
7 has been set up for the purpose of delimiting the  
8 precise boundary line in the disputed areas. The  
9 Japanese Government are now negotiating for the early  
10 establishment of commissions, with a view to delimiting  
11 boundaries, not only in the Nomonhan area but also all  
12 along the frontier between Manchoukuo and Soviet terri-  
13 tory, for the prevention of boundary disputes and for  
14 the peaceful solution of all possible international con-  
15 tentions in the frontier districts, so as to bring tran-  
16 quility to all sectors of the Manchoukuo-Mongolia and  
17 Manchoukuo-Soviet frontiers."

18  
19 As my next witness, to testify concerning the  
20 diplomatic aspects of the Nomonhan Incident, I call OTA,  
21 Saburo.

22 - - -  
23  
24  
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1 S A B U R O O T A, called as a witness on  
2 behalf of the defense, being first duly  
3 sworn, testified through Japanese inter-  
4 preters as follows:

## 5 DIRECT EXAMINATION

6 BY MR. BLAKENEY:

7 Q Please state your name, occupation and resi-  
8 dence.

9 A My name is OTA, Saburo. My address is  
10 200 Nakazato-cho, Yokosuka City. My profession is  
11 Mayor of Yokosuka City.

12 MR. BLAKENEY: I ask that the witness be  
13 handed defense document 1581.

14 (Whereupon, a document was handed  
15 to the witness.)

16 Q I ask you to examine that document and state  
17 whether it is your affidavit.

18 THE PRESIDENT: He is not asked to read the  
19 whole of it.

20 Q Without reading it at this time, can you  
21 identify it as being your affidavit?

22 A On the whole I think I can.

23 Q I understand that you have a correction which  
24 you wish to make and which I presume you are now hunting?  
25

A I do not believe there is any correction to be

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made.

Q Very well. Are the contents of the document true and correct?

A As far as I have read, it is true and correct.

THE MONITOR: As far as I have read so far.

Q Well, was the whole thing true and correct when you signed it?

A Yes.

MR. BLAKENEY: Before offering the document, I wish to refer the Tribunal to exhibit 2630, the testimony of ISONO, Yuzo, exhibit 2632, that of HAYASHI, Kaoru, and exhibit 2637, that of MATSUDAIRA, Koto, concerning the destruction and present non-availability of certain documents referred to in the testimony of Mr. OTA.

I wish also to call attention to one or two corrections in the English version of the affidavit, to-wit, on page 2, the second paragraph, the first line, the 9th of September should be the 10th of September according to the Japanese original. And on page 3, the fourth line from the bottom, the scale of the map should be 1 to 100,000, rather than 1,000,000.

The affidavit, defense document 1581, is offered in evidence.

THE PRESIDENT: Colonel Smirnov.



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made.

Q Very well. Are the contents of the document true and correct?

A As far as I have read, it is true and correct.

THE MONITOR: As far as I have read so far.

Q Well, was the whole thing true and correct when you signed it?

A Yes.

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The affidavit, defense document 1581, is offered in evidence.

THE PRESIDENT: Colonel Smirnov.

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1 COLONEL SMIRNOV: Your Honor, the defense  
2 document 1581 is drawn up in such a manner that it is  
3 impossible to understand whether the witness directly  
4 participated in the events -- in the negotiations, or  
5 if he only judges about them on hearsay. If the last  
6 be correct, then it will turn out that the witness in  
7 his affidavit is trying to be an expert, or to act like  
8 an expert, on the questions involved in the negotiations,  
9 or about the causes of the incidents, and about the  
10 historic determination of the state border line. It  
11 is clear that both these questions are out of the scope  
12 of competence of a former second-rate official of the  
13 embassy, and that part of the affidavit has no proba-  
14 tive value.

15 The balance of the affidavit deals with  
16 matters which can be established only by way of intro-  
17 duction of documents or in case they do not exist, by  
18 testimony of the participants in the events. These  
19 matters include telegrams allegedly received by TOGO  
20 from Tokyo and dealing with the negotiations conducted  
21 by TOGO in Moscow or with the work of the commission  
22 for redemarcation.

23 Besides, this affidavit contains numerous  
24 repetitions concerning questions which have no impor-  
25 tance. The reading of the affidavit as it is will be

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a waste of time.

On these grounds, I ask to reject document  
1581 in its entirety.

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a waste of time.

On these grounds, I ask to reject document  
1581 in its entirety.

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THE PRESIDENT: Major Blakeney.

1 MR. BLAKENEY: If any of counsel's points  
2 were well taken, the question would be, as he said,  
3 one of probative value of the document which as this  
4 Tribunal has often said will be considered as a  
5 question of weight and not of admissibility.  
6 Such questions are proper matter for cross-examin-  
7 ation. As for the allegation that the witness is  
8 not shown to know personally whereof he speaks, I  
9 point out that in paragraph 2 of the affidavit he  
10 states that he was in charge of the matters herein  
11 discussed. The attempt to inject again the question  
12 of the absence of documents need, I think, not be  
13 referred to further in as much as the exhibits  
14 already mentioned are fully explanatory of the  
15 matter.  
16

17 THE PRESIDENT: As Mr. Ballantine was  
18 allowed to give evidence of negotiations at which  
19 he was present, I suppose you claim this man should  
20 be allowed to give evidence of the negotiations at  
21 which he was present.

22 MR. BLAKENEY: Of course, we contend that  
23 any participant, for that matter, any hearer, can  
24 report the contents of conversations, but even had  
25 the witness not been present, in view of his official

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1 status and official duties in connection with the  
2 matter, he could still testify to it. That is one  
3 of the well known exceptions to the hearsay rule.

4 THE PRESIDENT: By a majority, the Court  
5 overrules the objection and admits the document.

6 CLERK OF THE COURT: Defense document 1581  
7 will receive exhibit No. 2659.

8 (Whereupon, the document above re-  
9 ferred to was marked defense document No.  
10 2659 and received in evidence.)

11 MR. BLAKENEY: I read the document, omitting  
12 formal parts:

13 "I served as Third Secretary to the Japanese  
14 Embassy in Moscow from May 1938, serving under Am-  
15 bassador TOGO after he assumed his office in Moscow  
16 in October 1938. Ambassador TOGO left Moscow for  
17 home in October 1940, and I also left for home in the  
18 same month. During that period, the Nomonhan Inci-  
19 dent occurred in May 1939 and diplomatic negotiations  
20 were conducted for its solution. From about August  
21 of the same year, I was in charge of handling the  
22 negotiations under Ambassador TOGO.

23 "The Nomonhan Incident occurred because of  
24 the fact that the border between Manchoukuo and the  
25 Mongolian People's Republic was not clearly defined



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1 by the two countries but was merely a border line  
2 of administrative districts in the Ching Empire.  
3 The incident began when some Outer-Mongolian forces  
4 crossed the Khalkha River, which Manchoukuo believed  
5 to be the boundary between Manchoukuo and Mongolia,  
6 and entered into the territory of Manchoukuo in  
7 May 1939. The Japanese forces as well as the forces  
8 of Manchoukuo were obliged to counter-attack in order  
9 to secure the border-line, and pressed the Outer-  
10 Mongolian forces to the south of the Khalkha River.  
11 The forces of the Soviet Union and Mongolia were re-  
12 inforced and tried to recover the area. Protests  
13 were meanwhile lodged mutually by the Governments of  
14 Japan and the Soviet Union. Japan and Manchoukuo  
15 aimed at maintaining the Khalkha River as the border  
16 line, but the reinforcement of the Soviet-Mongolian  
17 forces continued and their military action came to  
18 be large-scale, so that it was difficult to seize an  
19 opportunity to start negotiations for the solution  
20 of the incident, in spite of the desire of Japan to  
21 settle it promptly and to restore normal relations  
22 between Japan and the Soviet Union. However, on  
23 22 August, when Ambassador TOGO, at an interview  
24 with Deputy Foreign Commissar Lozovsky on the ques-  
25 tion of the Northern Sakhalin concessions, stressed

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1 the necessity of solving various pending questions,  
2 Mr. Lozovsky stated that the Soviet Union also de-  
3 sired the normalization of Soviet-Japanese relations.  
4 Thereupon Ambassador TCGO took the opportunity to  
5 urge upon him that it was essential to solve, to-  
6 gether with other questions, the frontier questions  
7 between Manchoukuo and the Soviet Union as well as  
8 those between Manchoukuo and Mongolia, in order to  
9 improve relations between the two countries. To  
10 this, Deputy Commissar Lozovsky replied that the  
11 Soviet Union would study any concrete proposal of  
12 Japan regarding the boundary problem, indicating  
13 that the Soviet Union also desired to solve the  
14 incident through diplomatic negotiations.

15 "Accordingly, Ambassador TCGO exchanged  
16 telegrams with Tokyo, and having received the con-  
17 crete instructions which the Japanese Government  
18 sent after consultation with the Manchoukuo Govern-  
19 ment, met Commissar Molotov on 9 September. He  
20 expressed to the Commissar the desire of the Japa-  
21 nese Government to solve various pending issues be-  
22 tween the two countries with mutual good-will in  
23 order to improve general relations, and conveyed to  
24 the Commissar that (1) it was proposed to determine  
25 the Manchoukuo-Soviet and Manchoukuo-Mongolian

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1 border; (2) there was no objection to the establish-  
2 ment of a commission for the solution of border dis-  
3 putes; and (3) a commercial treaty would readily be  
4 negotiated. In response to Mr. Molotov's query as  
5 to the disputes which the commission as proposed in  
6 (2) was to consider, Ambassador TOGO told the  
7 Commissar that the Nomonhan Incident should be  
8 solved as soon as possible because the adjustment  
9 of relations would be difficult if further conflict  
10 were to develop in Nomonhan. Replying to the further  
11 query as to the Japanese proposal for the solution  
12 of the incident, Mr. TOGO explained in detail the  
13 Japanese proposal for demilitarizing the disputed  
14 area with a view to avoiding further conflict and  
15 contributing to the improvement of relations between  
16 the two countries.

17 "At the second meeting of 10 September,  
18 Commissar Molotov stated to Ambassador TOGO (1)  
19 that the demarcation of the Manchoukuo-Soviet and  
20 Manchoukuo-Mongolian border and the establishment  
21 of a commission for the solution of border disputes  
22 were considered appropriate, but that such a commis-  
23 sion should handle disputes on land which might occur  
24 in future as well as invasion of territorial waters  
25 in Kamchatka and Sakhalin; (2) that the conclusion

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1 of a treaty of commerce was desired; and (3) that  
2 as to the Nomonhan Incident, it was the intention  
3 of the Soviet Union to restore the status prevailing  
4 before the incident and to solve the incident by  
5 withdrawing forces of both parties to the line con-  
6 tended for by the Soviet Mongolians, and that it  
7 was considered that that line should be established  
8 as the legitimate line inasmuch as it had been fixed  
9 for years and that therefore the establishment of a  
10 demilitarized zone was not deemed reasonable.

11 "Ambassador TOGO replied to the Commissar  
12 that (1) he would reply to the Russian proposal for  
13 extending the competence of the above-mentioned  
14 commission to Kamchatka and Sakhalin after consul-  
15 tation with his government; that (2) as to the  
16 Nomonhan Incident, the Outer-Mongolian forces had  
17 started to invade the Nomonhan area, where they had  
18 never been stationed before March or April of this  
19 year, and the disputes spread after May; that accord-  
20 ing to the Russian proposal of the restoration of the  
21 original status, the Soviet-Mongolian forces were to  
22 retreat to the left bank of the Khalkha River and so  
23 there was not much discrepancy between the Russian  
24 and Japanese proposals; and that the Japanese pro-  
25 posal offered to establish a demilitarized area in

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1 spite of the fact that the Japanese-Manchoukuoan  
2 forces had been stationed in the Nomonhan area  
3 even before the incident.

4 "Commissar Molotov insisted that it had  
5 to be clarified that it was not 'demarcation' of  
6 the border but was 'redemarcation' thereof, and re-  
7 peated that the border-line that had existed prior  
8 to the incident should be restored and that upon  
9 securing Japan's agreement to it the Russian forces  
10 would retreat to the line. Ambassador TOGO asserted  
11 that Japan could not accept the Soviet proposal  
12 because Manchoukuo believed the Nomonhan area to  
13 be her territory, insisting at the same time upon  
14 the necessity of solving the incident and calming  
15 down the tense atmosphere prevailing on the spot.

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1 "At the third meeting of 14 September, Am-  
2 bassador TOGO offered a compromise plan in which it was  
3 proposed that the status prevailing prior to May 1 1939  
4 should be restored and that both forces should cease  
5 hostilities for this purpose. Although Mr. TOGO ex-  
6 plained that the Japanese proposal was generally in  
7 agreement with the Soviet proposal except that it did  
8 not include the problem of the border line, Mr.  
9 Molotov insisted that Japan should recognize the So-  
10 viet assertion that the line upheld by the Soviet-  
11 Mongolians had existed prior to May 1. As Commissar  
12 Molotov insisted on his stand in a long discussion,  
13 Ambassador TOGO stated that so long as the Soviet  
14 Union did not agree to the proposal of restoration  
15 of the original status, the only solution should be  
16 to cease hostilities at a line held at a certain time  
17 and requested the Soviet Union for reply. The Com-  
18 missar promised to consider the matter and make reply.

19 "At the fourth meeting of 15 September Com-  
20 missar Molotov stated that the Soviet Union could  
21 accept the Japanese proposal of cessation of hostili-  
22 ties made the day before, and agreed thereto, and at  
23 the same time proposed a draft agreement on the es-  
24 tablishment of a joint commission for border demar-  
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1 cation composed of two representatives of Japan and  
2 Manchoukuo on the one side and two representatives of  
3 the Soviet Union and Mongolia on the other. There-  
4 upon, the Commissar and the Ambassador consulted  
5 about the time of cessation of hostilities and related  
6 matters, as well as the joint commission for demarca-  
7 tion, and the agreement for the cessation of hostili-  
8 ties was concluded at about 2 A.M. of the 16th. It  
9 was also agreed that the form of the agreement should  
10 be oral instead of in writing. It was decided that  
11 the contents of the agreement were to be made public  
12 at 3 A.M. of the 16th in a joint communique, which is  
13 Defense Document No. 1570.

14 "As to the establishment of the joint com-  
15 mission for the Manchoukuo-Mongolian border demarca-  
16 tion based on the agreement of cessation of hostili-  
17 ties at Nomonhan, negotiations were subsequently con-  
18 ducted between Ambassador TOGO and Foreign Commissar  
19 Molotov, and as a result, an agreement was reached be-  
20 tween them on 19 November 1939. In accordance with the  
21 agreement, the representatives of Japan, Manchoukuo,  
22 the Soviet Union and Mongolia held eight conferences in  
23 Chita between 7 and 25 December, and another eight in  
24 Harbin between 5 and 30 January of the following year.  
25 The work of the commission for the demarcation of the

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1 border in the Nomonhan area and the district south of  
2 Arshan River came to a deadlock because of differences  
3 of opinion after the studies in these sixteen confer-  
4 ences based on maps and documents of high authenticity.

5 "Although the discussions in these confer-  
6 ences foreshadowed the future of the negotiations,  
7 Ambassador TOGO resumed the negotiations concerning  
8 the matter around March of 1940, and had frequent  
9 conferences with Commissar Molotov and other officers.  
10 An agreement was finally reached between Mr. TOGO and  
11 Mr. Molotov on 9 June relative to the border demarca-  
12 tion of the disputed area and determining the border-  
13 line on the map.

14 "The agreement concerning the demarcation of  
15 the border in the Nomonhan area, signed by Ambassador  
16 TOGO and Foreign Commissar Molotov on 9 June 1940,  
17 and the map attached thereto, have been submitted to  
18 the Tribunal by the prosecution as Exhibit No. 767.  
19 In the lower part of this map is the notation, 'The  
20 border line between the Mongolian People's Republic  
21 and Manchoukuo in the Khalkin Gol area prior to the  
22 agreement of 9 June 1940', and 'The border line be-  
23 tween the Mongolian People's Republic and Manchoukuo  
24 in the Khalkin Gol area according to the agreement  
25 of 9 June 1940'. Such markings, however, did not

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1 exist on the map attached to the agreement then signed.  
2 Before the TOGO-Molotov agreement there had never been  
3 in the disputed area any border line markings recog-  
4 nized by international agreement. Next to the above-  
5 mentioned markings is written 'Scale 1:1,000,000' I  
6 recall that at the time of the TOGO-Molotov negotia-  
7 tions and maps of scale 1:1,000,000, prepared by the  
8 Kwantung Army, were used, but that at the time of the  
9 signing of the agreement the 1935 edition of scale  
10 1:200,000, prepared by the Soviet Army General Staff,  
11 were used for the sake of convenience. The TOGO-  
12 Molotov agreement actually mentions this. I recall,  
13 furthermore, that that part of the disputed area which  
14 the Mongolian People's Republic ceded to Manchoukuo  
15 in accordance with the TOGO-Molotov agreement was the  
16 triangular area of the Harat Mountains and the narrow  
17 area south of the Arshan River, whereas Manchoukuo  
18 agreed to cede to the Mongolian People's Republic the  
19 area between the Khalkha River and the new boundary.

20 "In order to clarify on the ground the new  
21 boundary determined on the map, Ambassador TOGO and  
22 Deputy Commissar for Foreign Affairs Lozovsky made  
23 necessary arrangements on 18 July with regard to the  
24 constitution and duties of the border-delineation com-  
25 mission on the spot. In accordance with the arrange-

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1 ment the representatives of Manchoukuo and Mongolia  
2 held six conferences in Chita between 3 and 24 August  
3 and agreed upon technical matters, and started oper-  
4 ations on the spot after the beginning of September.  
5 Meanwhile, Ambassador TCGO was ordered home on 29  
6 August and left Moscow on 20 October for home. I  
7 left for home, also, on 18 October.

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1 "As the settlement of the Nomonhan Incident  
2 marked the beginning of normal relations between  
3 Japan and the Soviet Union, Ambassador TOGO deemed  
4 it proper to proceed to the conclusion of a non-  
5 aggression pact between the two countries, which had  
6 been his cherished desire. Toward the end of 1939 or  
7 the beginning of 1940 he strongly recommended the  
8 plan to the Tokyo Government. He sent Secretary  
9 SAITO home temporarily for the same purpose -- to  
10 persuade influential quarters. As a result, Ambassa-  
11 dor TOGO obtained instructions from Foreign Minister  
12 ARITA for the conclusion of a neutrality pact be-  
13 tween the two countries, and commenced negotiations  
14 with Foreign Commissar Molotov, which made great  
15 progress. Agreement had been reached between them  
16 as to the gist of the draft pact when Ambassador TOGO  
17 was ordered home by Foreign Minister MATSUOKA, and  
18 he subsequently left Moscow.

19 "After I returned home, I served as chief  
20 of the Third Section, European-Asiatic Bureau. The  
21 operations on the spot concerning the border demar-  
22 cation in the Nomonham area were practically at a  
23 standstill after December 1940, owing to disagreement  
24 of views between the Manchoukuoan and Mongolian  
25 representatives. However, immediately after the con-



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1 clusion of the Neutrality Pact in April 1941 an  
2 agreement was reached between Ambassador TATEKAWA  
3 and Commissar Molotov that the operations on the  
4 spot should be concluded within the year 1941.  
5 Accordingly, the representatives of Manchoukuo and  
6 Mongolia met in Chita after 18 May, and after reach-  
7 ing agreement on technical matters on 14 June,  
8 started operations on the spot on 27 June. The work  
9 was carried on in spite of the Soviet-German War,  
10 until it was completed on 17 August, when border-  
11 markers were established throughout the entire dis-  
12 puted area. The matter had been completely solved  
13 two years after hostilities ceased.

14 "The general protocol and documents attached,  
15 drawn by the border-demarcation commission on the  
16 ground, were signed in Harbin on 15 October. Al-  
17 though it had been agreed that the governments of  
18 Manchoukuo and Mongolia would recognize these docu-  
19 ments by exchanging notes on 5 December, this failed  
20 to materialize because of procedural delays on the  
21 part of the Mongolian Government and for the conven-  
22 ience of the Government of the Soviet Union. The  
23 notification of the recognition of these documents  
24 was completed in Harbin on 15 May 1942."

25 You may cross-examine.



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THE PRESIDENT: Colonel Smirnov.

COLONEL SMIRNOV: May I start cross-examination, your Honor?

CROSS-EXAMINATION

BY COLONEL SMIRNOV:

Q Mr. Witness, on page 1 of your affidavit you stated that since August, 1939 you, according to instructions, were in charge of the negotiations concerning the Nomonhan events. Should it be understood, then, that TOGO entrusted you with conducting the negotiations instead of himself?

A That is not so.

Q Did you conduct independently any negotiations with the representatives of the Soviet or the Mongolian sides?

A No.

Q Were you present at least one time at the negotiations between TOGO and the Soviet Government -- and the representatives of the Soviet Government?

A No.

Q Then, in what way were you concerned with the negotiations? Were you in charge of the negotiations?

A Before the negotiations were actually commenced, as Secretary of the Embassy, I conducted --

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1 I prepared for the negotiations. After the negotia-  
2 tions were concluded, on orders from Ambassador TOGO  
3 I drafted the text of telegrams, reports and opinions  
4 to be sent to the Japanese Foreign Office.

5 Q Then you state the contents of these nego-  
6 tiations on the grounds of the words spoken by third  
7 persons.

8 A I am testifying to these negotiations on  
9 the basis of what I heard directly from Ambassador  
10 TOGO, himself, and also from the interpreter of the  
11 Embassy who was present at these negotiations. A  
12 portion of them I have seen with my own eyes. For  
13 instance, the problem of the maps which is included --  
14 which I touch in my affidavit, this I saw -- I was  
15 directly concerned with it myself -- I saw it myself.

16 THE PRESIDENT: We will recess for fifteen  
17 minutes.

18 (Whereupon, at 1445, a recess was  
19 taken until 1500, after which the proceed-  
20 ings were resumed as follows:)  
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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Colonel Smirnov.

4 BY COLONEL SMIRNOV (Continued):

5 Q Mr. Witness, I did not understand  
6 whether at least one time you were personally  
7 present at the negotiations between TOGO and the  
8 People's Commissar for Foreign Affairs of the  
9 U.S.S.R.

10 A No, I was not present once.

11 Q Then, why did you state before the recess  
12 that you personally participated in the negotiations?

13 A What I did was to prepare for the negotia-  
14 tions before the negotiations were opened, and  
15 after the negotiations were over -- after the nego-  
16 tiations on Nomonhan were over, on instructions  
17 from Ambassador TOGO, to draft reports and tele-  
18 grams embodying opinions of Ambassador TOGO to the  
19 Japanese Foreign Office; and I added to that state-  
20 ment, concerning the map to which I testified -- con-  
21 cerning the map or maps to which I testified in my  
22 affidavit. I personally saw them.

23 Q Have you, for instance, one original docu-  
24 ment to which you refer in your affidavit -- for  
25 instance, telegrams to Tokyo or telegrams from

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1 Tokyo or any other documents besides the Court ex-  
2 hibits?

3 A I do not have a single one now at my dis-  
4 posal.

5 Q Where were you at the time when the hos-  
6 tilities in the Nomonhan area started?

7 A I was in Moscow.

8 Q Then, on what ground do you state in your  
9 affidavit that the incident began when the Outer  
10 Mongolian forces crossed the Khalgha River?

11 A I testified on the basis of my recollection  
12 of a telegram received from the Foreign Office in  
13 Japan at the time.

14 THE MONITOR: "Instructions" instead of  
15 "telegram."

16 Q Then, again you state from hearsay?

17 A If you call the Japanese Foreign Office  
18 a third party, then I suppose you are correct.

19 Q But being in Moscow, you could hardly get  
20 personal impressions about the events in the Noman-  
21 han area?

22 THE PRESIDENT: Well, we know that he was  
23 not at Nomonhan. We know that he is testifying,  
24 just as Mr. Ballantine testified, about negotia-  
25 tions at which he was present or which he had a

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1 duty to record or execute.

2 COLONEL SMIRNOV: Then, I withdraw my  
3 question, your Honor.

4 Q Do you know when the hostilities started  
5 in the Nomonhan area?

6 A As far as I can recollect, it was on  
7 the 11th of May.

8 Q And when, according to your words, did  
9 TOGO raise before Deputy Foreign Commissar Lozovsky  
10 the question of peaceful settling of the incident?

11 A As is written in my affidavit, it was on  
12 the 22nd of August.

13 Q Then, more than four months later?

14 A According to my calculation, it is a little  
15 over three months.

16 Q Three months; that is quite correct.

17 In your affidavit you write about the wish  
18 of Japan to solve the incident and to establish  
19 normal relations with the Soviet Union. Is that so?

20 A Yes, that is so.

21 Q Why, then, was it necessary to wait for  
22 three months before starting first negotiations,  
23 even according to your words?

24 A In order to open negotiations we must await  
25 a favorable moment. Concerning the Changkufeng

1 incident, which broke out the previous year,  
2 Ambassador SHIGEMITSU received instructions from  
3 the Foreign Office almost immediately after the  
4 opening outbreak of the incident and tried to start  
5 negotiations to settle the incident.

6 THE MONITOR: "Instructions from the Jap-  
7 anese Government" instead of "Foreign Office."

8 A (Continuing) But concerning the outbreak  
9 of the Nomonhan incident, we first heard of it by  
10 means of a protest from Commissar Molotov in Mos-  
11 cow to the Japanese Embassy there.

12 Furthermore, the Japanese forces which  
13 were involved in the Changkufeng incident of the  
14 previous year belonged to the Korean Army, whereas  
15 those involved in the Nomonhan incident belonged to  
16 the Kwantung Army.

17 Q I am not interested in those details, Mr.  
18 Witness. Will you answer briefly?

19 So the 22nd of August you considered as a  
20 favorable moment for the beginning of the negotia-  
21 tions, is that so?

22 A I didn't decide that moment. It was Am-  
23 bassador TOGO who decided this matter.

24 Q Do you know that on the 20th of August the  
25 Soviet and Mongolian troops started decisive



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1 offensive operations?

2 A I did not know of it at the time.

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1 Q And why was this moment favorable for the  
2 Japanese side as the time for the beginning of the  
3 negotiations?

4 A As is written in my affidavit, when  
5 Ambassador TOGO visited Deputy Commissar Lozovsky  
6 in order to take up the question of Japanese interests  
7 in North Karafuto the question of the settlement of  
8 the borderline was brought up and negotiations  
9 were thereupon commenced. I believe that when  
10 Ambassador TOGO visited Commissar Lazovsky he did  
11 not go there with the intention of taking up the  
12 question of the border. As far as I remember when  
13 Foreign Minister -- when Ambassador TOGO visited  
14 Deputy Commissar Lazovsky on the question of Japanese  
15 interests in North Karafuto he did not go there with  
16 the intention of necessarily taking up the Nomonhan  
17 case also.

18 Q In your affidavit you wrote that the peace-  
19 ful settlement of the conflict was prevented by  
20 the fact that the reinforcements to the Soviet and  
21 Mongolian troops were being continually sent in the  
22 Nomonhan area; page one of your affidavit. Is that  
23 correct?

24 A As far as I am aware, that is correct.

25 Q What then changed on the 22nd of August at

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1 which date in the Nomonhan area there were the  
2 strongest number -- the largest number of the  
3 Soviet troops and of fighting equipment?

4 A I am a foreign service officer and as such  
5 I know nothing about the military operations. All  
6 I knew was instructions and reports received and  
7 telegrams from the Foreign Office in Tokyo which  
8 stated that both forces were gradually reinforcing  
9 their armies and that the situation was developing  
10 as I have stated in my affidavit, and that a large-  
11 scale war was going to be waged.

12 THE MONITOR: "The Foreign Office" should  
13 be corrected to read "Home Government."

14 Q That is what I asked you; why you not being  
15 a military man and being not competent in military  
16 questions write them in your affidavit?

17 THE PRESIDENT: We know that he does not  
18 say that as a military man or as an expert.

19 COLONEL SMIRNOV: Then, I pass on to my  
20 next question.

21 Q Could the Commission for the redemarcation,  
22 established after the agreement between Molotov and  
23 TOGO was signed, could this Commission change any  
24 of the main points which the agreement contained?

25 A I was not quite able to get the purport of

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your question.

1 THE PRESIDENT: What were the powers of the  
2 Commission? Could they change anything agreed  
3 between Mr. Molotov and Mr. TOGO?  
4

5 THE WITNESS: The Commission had no power  
6 to change the agreement reached between Molotov  
7 and TOGO and in fact they did not. It did not.

8 COLONEL SMIRNOV: No further questions, your  
9 Honor.

10 THE PRESIDENT: Major Blakeney.

11 MR. BLAKENEY: I ask leave of the Tribunal  
12 to put one or two further questions with reference  
13 to the identity of the document which possibly I  
14 should have put in direct examination.

15 THE PRESIDENT: We give you permission.

16 MR. BLAKENEY: Thank you, sir.

17 REDIRECT EXAMINATION

18 BY MR. BLAKENEY:

19 MR. BLAKENEY: I request that the witness  
20 be handed a map marked defense document No. 1,161.

21 (Whereupon, the document above  
22 referred to was handed to the witness.)

23 Q I ask you to examine that map and tell the  
24 Tribunal if you know what it is?

25 A As far as I can recollect, this map is

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1 a copy of the original map of the boundary between  
2 Outer Mongolia and Manchuria in the Nomonhan area  
3 as was agreed upon in the TOGO-Molotov agreement,  
4 which was drawn up by the Soviet Foreign Office and  
5 sent to our Embassy. This is a copy of the original  
6 which was -- This is a copy which was drawn up by  
7 the Soviet Foreign Office and sent to our Embassy.

8 Q Is it, so far as you remember, an exact  
9 copy of the original map attached to the TOGO-Molotov  
10 agreement?

11 A It is.

12 Q Does that map show the boundary line agreed  
13 upon in the TOGO-Molotov agreement?

14 A It does.

15 Q Does it show or purport to show any other  
16 boundary mark in addition thereto?

17 A Since it was a map drawn up by the Soviet  
18 side it also shows the boundary as asserted by the  
19 Soviet side before the Nomonhan Incident.

20 Q Is there anywhere on that map any legend  
21 explaining the meaning of the lines drawn across  
22 the map?

23 A There is nothing to indicate such a thing.  
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1 Q In those respects, that is to say, the presence  
2 of the lines and the absence of a legend explaining them,  
3 is this map identical to the original map attached to  
4 the TOGO-Molotov Agreement?

5 A With the exception of the fact that the map  
6 does not include the initials of Mr. TOGO and Mr.  
7 Molotov I believe that it is an exact copy of the  
8 original. I am certain. I can say so with conviction.

9 Q Was the original map initialed by others in  
10 addition to Messrs. TOGO and Molotov?

11 A As far as I can recollect there were also the  
12 initials of the counsel to the ambassador in Moscow,  
13 CHIDA, and the Chief of the Second Far Eastern Division  
14 of the Soviet Foreign Office, Tserapkin.

15 MR. BLAKENEY: I tender the map, document  
16 1481, and ask that it be marked as an exhibit for  
17 identification.

18 COLONEL SMIRNOV: Your Honor, I cannot under-  
19 stand what things are compared by the witness.

20 THE PRESIDENT: Nor will we be able to even  
21 if it is tendered in evidence if there is no legend  
22 but just lines. For the time being it is tendered for  
23 identification only, and that is our ruling in these  
24 matters.

25 MR. BLAKENEY: I seem to have given two different



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1 numbers for the document. The correct number is 1481.

2 CLERK OF THE COURT: Defense document 1481  
3 will receive exhibit No. 2660 for identification only.

4 (Whereupon, the document above  
5 referred to was marked defense exhibit  
6 No. 2660 for identification.)

7 Q I ask now that the witness be handed prosecu-  
8 tion exhibit 767. I ask that you look at the map  
9 attached to that exhibit, which is a copy of the TOGO-  
10 Molotov Agreement, and state if you can whether the  
11 legend appearing on the paper pasted on the lower  
12 left-hand corner of that map was on the original map  
13 attached to the TOGO-Molotov Agreement.

14 A As far as I recollect, I can say with convic-  
15 tion that these additional -- these superscriptions  
16 were not on the original map at all, the original map  
17 attached to the TOGO-Molotov Agreement. Furthermore,  
18 as I stated in my affidavit, the map attached to the  
19 TOGO-Molotov Agreement was a map of 1, to 200,000 where-  
20 as this map is on a scale of 1 to 1,000,000.

21 Q At the time that conversations were commenced  
22 between Ambassador TOGO and Commissar Molotov with a  
23 view to settlement of the Nom nhen Incident had the  
24 embassy received any information concerning the so-called  
25 Soviet offensive of the 20th of August?

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REDIRECT  
RECROSS

1       A    We did receive information to the effect that  
2   severe fighting was going on toward the end of August.  
3   However, we did not receive any information more detailed  
4   than that at the Japanese Embassy in Russia.

5       MR. BLAKENEY: No further question, but I  
6   assume cross-examination is again in order.

7       THE PRESIDENT: If desired. Colonel Smirnov.

8       COLONEL SMIRNOV: Your Honor, can I ask a few  
9   questions in connection with the presentation of the  
10   new exhibit?

11       THE PRESIDENT: You are at liberty to do so.

12               RECROSS-EXAMINATION

13       COLONEL SMIRNOV: I ask the witness to be  
14   shown the last exhibit just tendered in evidence for  
15   identification and the map attached to prosecution  
16   exhibit 767.

17               (Whereupon, said maps were handed  
18   to the witness.)

19       BY COLONEL SMIRNOV:

20       Q    Mr. Witness, I ask you to look attentively  
21   at the small scale copy of the map and at the exhibit  
22   which has been tendered for identification -- bigger  
23   copy of the map. Do you see that on both maps there  
24   are two lines, one unbroken and one dotted line?

25       A    Yes.

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1 Q That is correct. Mr. Witress, is the dotted  
2 line on the big scale map printed in a typographical  
3 way, and the unbroken line is made with India ink or  
4 by some other color?

5 A As you say.

6 Q Doesn't it seem to you that the dotted line  
7 was, as it had been printed, was in the map earlier --  
8 was this dotted line, which is printed on the map,  
9 was it on the map earlier than the unbroken line which  
10 was put on the map at the moment of the signing of the  
11 treaty?

12 A I agree with you. I think that is quite so.  
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1 Q Doesn't it seem to you that both maps, the  
2 large one and the smaller map, as far as the question  
3 of border lines is concerned -- I don't speak about  
4 other descriptions -- are absolutely identical?

5 A Unfortunately, I do not think so. The larger  
6 map, as far as I can recall, is an exact copy of the  
7 original map attached to the TOGO-Molotov Agreement.  
8 The smaller map, however, is not an exact copy of the  
9 original. that is to say, it is not the large reduced  
10 in scale, but it is an altogether different map.

11 There are a few differences in the geographi-  
12 cal names between the two maps.

13 Q Will you show me at any rate one place on the map  
14 containing different geographical names?

15 A I may go into too much detail, and you may  
16 say again that you have no interest in what I am say-  
17 ing. May I proceed?

18 THE PRESIDENT: It is very important that  
19 you should show the difference in names, if you can.  
20 Nor need you go into great detail. Two or three  
21 names will be sufficient. A single word may be suffi-  
22 cient to show the difference in that case.

23 THE WITNESS: In the larger map the river on  
24 the upper reach of the Khalkha River is marked the  
25 Khalkhin-Gol River; whereas, in the smaller map it is

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RECROSS

1 called the Arshan-Gol River.

2 MR. BLAKENEY: If the Tribunal please, I  
3 think whatever demonstration the witness is making  
4 should also be made to the bench.

5 THE PRESIDENT: There is no need for him  
6 to point out any name. He can read out the name,  
7 and he can underline it, if necessary.

8 MR. BLAKENEY: Unless the prosecution is  
9 willing to concede that the difference pointed out  
10 by the witness exists, I think I must insist that  
11 it be shown to the Tribunal if it is going to be a  
12 matter in dispute.

13 THE PRESIDENT: If you think we will be  
14 better informed as a result, let us see that. He  
15 said there was a difference in words. Let him point  
16 out the words. What more can he do?

17 MR. SMIRNOV: Your Honor, I intended to ask  
18 the same, but a little later on; but previous to the  
19 time the map is shown to the bench I would like to  
20 ask your direction to determine the names of the places  
21 through which the border line passes according to the  
22 agreement between Molotov and TOGO.

23 THE PRESIDENT: One difficulty at a time.  
24 That is another matter entirely. Let us clear up this  
25 point about the alleged difference between the maps.

1 Well, Major Blakeney, you want the bench  
2 to see what the witness pointed out. He will have to  
3 come to us, and you had better come with him, you and  
4 Colonel Smirnov, to make sure the right spot is pointed  
5 out.

6 (Whereupon, the following proceed-  
7 ings took place at the bench:)

8 THE WITNESS: In this map (indicating) this branch  
9 river is named Khalkhin-Gol River, while in this map  
10 (indicating) that branch river is mentioned as Arshan-  
11 Gol.

12 THE PRESIDENT: Well, put the letter "x"  
13 alongside the name in each map.

14 (Whereupon, the witness complied with  
15 the President's request.)

16 THE PRESIDENT: Well, as far as I can judge,  
17 nothing has been gained by bringing the witness to the  
18 bench. He has simply put an "x" in each of the maps  
19 in the places he has in mind. The names are not in  
20 English. Tomorrow morning we may ask this witness to  
21 make a more distinct marking on those two maps.

22 We will adjourn now until half-past nine  
23 tomorrow morning.

24 (Whereupon, at 1600, an adjournment  
25 was taken until Wednesday, 28 May 1947, at 0930.)